

FILED

09 DEC 31 PM 4:23

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY:

DEPUTY

1 SEPEHR TORABI
3253 Caminito East Bluff, #26
2 La Jolla, California 92037
Phone: (858) 518-1515
3

4 Plaintiff, In Pro Se
5
6

7 UNITED STATES DISTRICT COURT

8 SOUTHERN DISTRICT OF CALIFORNIA

9 CITIBANK NA AS TRUSTEE FOR
WAMU 2004-AR9

10 Plaintiff

11 vs.

12 SEPEHR TORABI, and
DOES 1 through 6, INCLUSIVE

13 Defendants
14
15

'09 CV 2945

Case No.

NOTICE OF REMOVAL

[28 U.S.C. § 1446]

JURY REQUESTED

W

WVG

16 TO THE HONORABLE JUDGE OF THE UNITED STATES DISTRICT COURT
17 SOUTHERN DISTRICT OF CALIFORNIA; TO THE HONORABLE JUDGE OF THE SUPERIOR
18 COURT OF THE STATE OF CALIFORNIA, COUNTY OF SAN DIEGO, and to Plaintiff,
19 CITIBANK N.A. AS TRUSTEE FOR WAMU 2004-AR9.

20 Defendant, SEPEHR TORABI, hereby provides Notice of Removal of case No. 37-2009-
21 00046227 UD CTL from the Superior Court of the County of San Diego, to the United States
22 District Court Southern District of California. This removal is based on the following grounds:

23 On August 19, 2009 an action was commenced by Plaintiff Citibank N.A. against Defendant
24 Sepehr Torabi in the Superior Court of the State of California in and for the County of San Diego
25 entitled *Citibank N.A. as Trustee for Wamu 2004-AR9 vs. Torabi, and Does 1-6 Inclusive* bearing
26 San Diego County Superior Court Case No. 37-2009-00046227-CL-UD-CTL, regarding real
27 property situated in the State of California (A true copy of the complaint is attached hereto as
28 "Exhibit A" and made a part of this pleading.)

CR

1 Contained in Plaintiffs complaint is a verification, signed by the attorney for Plaintiff, namely
2 Randall D. Naiman, stating that his client was absent from the County of San Diego and unable to
3 verify the pleading.


4 Defendant is informed and believes that the headquarters of Plaintiff Citibank N.A. is
5 located in the State of New York. Defendant Sepehr Torabi is domiciled in the State of California,
6 and the real property subject to the proceeding is situated in the State of California.

7 By reason of the foregoing, the above described action is a civil action which may be
8 removed to the United States District Court by Defendant Torabi pursuant to the provisions of
9 28 U.S.C. § 1441(a) and 28 U.S.C. § 1332, because this is between citizens of different states and
10 whereas, the amount of damages which would be sustained by Defendant would exceed \$75,000.00
11 exclusive of interest and costs.

12 On the date specified below, a copy of this notice is being served on Plaintiffs attorney and
13 a copy of this notice is being filed with the clerk of the Superior Court of the State of California, in
14 and for the County of San Diego.

15 Respectfully submitted by:

16
17 Date: 12/31/09



SEPEHR TORABI
Defendant, In Pro Se

FILED
CIVIL BUSINESS OFFICE 8
CENTRAL DIVISION

09 AUG 19 AM 11:19

CLERK-SUPERIOR COURT
SAN DIEGO COUNTY, CA

Randall D. Naiman, Esq. - State Bar No. 81048
NAIMAN LAW GROUP,
Professional Corporation
4660 La Jolla Village Drive, Suite 500
San Diego, California 92122
(858) 535-4808 (telephone)
(858) 535-4809 (facsimile)

Attorney for Plaintiff, CITBANK, NA AS TRUSTEE FOR WAMU 2004-AR9

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
CENTRAL DIVISION

CITBANK, NA AS TRUSTEE FOR WAMU
2004-AR9

Plaintiff,

vs.

SEPEHR TORABI; and DOES 1 to 6,
inclusive

Defendants.

Case No.: 37-2009-00046227-CL-UD-CTL

LIMITED CIVIL CASE

COMPLAINT FOR UNLAWFUL
DETAINER

AMOUNT DEMANDED DOES NOT
EXCEED \$10,000.00

Foreclosure

Plaintiff alleges:

1. This court is the proper court for the trial of this action because:
 - a. Each Defendant resides and/or conducts business in the area served by this Court;
 - b. The real property which is the subject of this action **3253 Caminito Eastbluff Unit 26, La Jolla, CA 92037** (hereinafter "the Property"), is located in the area served by this Court; and
 - c. The amount of damages claimed in this action does not exceed \$10,000.00.
2. Plaintiff is informed and believes and upon such information and belief alleges that Defendant Sepehr Torabi (hereinafter "Defendant") at all times herein

**SUMMONS
(CITACION JUDICIAL)**

**UNLAWFUL DETAINER—EVICTION
(RETENCIÓN ILÍCITA DE UN INMUEBLE—DESALOJO)**

NOTICE TO DEFENDANT:

(AVISO AL DEMANDADO):

SEPEHR TORABI, and DOES 1 to 6, inclusive

YOU ARE BEING SUED BY PLAINTIFF:

(LO ESTÁ DEMANDANDO EL DEMANDANTE):

CITIBANK, NA AS TRUSTEE FOR WAMU 2004-AR9

CITIBANK

FILED
CIVIL BUSINESS OFFICE SUM-130
FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

09 AUG 19 AM 11:19

CLERK-SUPERIOR COURT
SAN DIEGO COUNTY, CA

You have 5 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. (To calculate the five days, count Saturday and Sunday, but do not count other court holidays. If the last day falls on a Saturday, Sunday, or a court holiday then you have the next court day to file a written response.) A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case.

Tiene 5 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. (Para calcular los cinco días, cuente los sábados y los domingos pero no los otros días feriados de la corte. Si el último día cae en sábado o domingo, o en un día en que la corte esté cerrada, tiene hasta el próximo día de corte para presentar una respuesta por escrito). Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

1. The name and address of the court is:
(El nombre y dirección de la corte es):
SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO
330 West Broadway
San Diego, CA 92101
CENTRAL DIVISION

CASE NUMBER:
(Número del caso)
37-2009-00046227-CL-UD-CTL

2. The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Randall D. Naiman, Esq. (#81048) (858) 535-4808
Naiman Law Group, PC (858) 535-4809
4660 La Jolla Village Drive, Suite 500
San Diego, CA 92122

3. (Must be answered in all cases) An unlawful detainer assistant (Bus. & Prof. Code, §§ 6400–6415) ☒ did not ☐ did for compensation give advice or assistance with this form. (If plaintiff has received any help or advice for pay from an unlawful detainer assistant, complete item 6 on the next page.)

Date:
(Fecha) **AUG 19 2009**

Clerk, by **C. BOYLE**, Deputy
(Secretario) (Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

[SEAL]

COPY

4. NOTICE TO THE PERSON SERVED: You are served

- a. ☐ as an individual defendant.
b. ☐ as the person sued under the fictitious name of (specify):
c. ☐ as an occupant
d. ☐ on behalf of (specify):
under: ☐ CCP 416.10 (corporation) ☐ CCP 416.60 (minor)
☐ CCP 416.20 (defunct corporation) ☐ CCP 416.70 (conservatee)
☐ CCP 416.40 (association or partnership) ☐ CCP 416.90 (authorized person)
☐ CCP 415.46 (occupant) ☐ other (specify):

5. ☐ by personal delivery on (date):

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Randall D. Naiman, Esq. (#81048) Naiman Law Group, PC 4660 La Jolla Village Drive Suite 500 San Diego, CA 92122 TELEPHONE NO.: (858) 535-4808 FAX NO.: (858) 535-4809 ATTORNEY FOR (Name): CITIBANK		FILED CIVIL BUSINESS DIVISION CENTRAL DIVISION 09 AUG 19 AM 11:19 CLERK-SUPERIOR COURT SAN DIEGO COUNTY, CA
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO STREET ADDRESS: COUNTY OF SAN DIEGO MAILING ADDRESS: 330 West Broadway CITY AND ZIP CODE: San Diego, CA 92101 BRANCH NAME: CENTRAL DIVISION		CASE NUMBER: 37-2009-00046227-CL-UD-CTL JUDGE: DEPT:
CASE NAME: CITIBANK v. TORABI CITIBANK		
CIVIL CASE COVER SHEET <input type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000)	<input checked="" type="checkbox"/> Limited (Amount demanded is \$25,000 or less)	Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort

- ☐ Auto (22)
☐ Uninsured motorist (46)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

- ☐ Asbestos (04)
☐ Product liability (24)
☐ Medical malpractice (45)
☐ Other PI/PD/WD (23)

Non-PI/PD/WD (Other) Tort

- ☐ Business tort/unfair business practice (07)
☐ Civil rights (08)
☐ Defamation (13)
☐ Fraud (16)
☐ Intellectual property (19)
☐ Professional negligence (25)
☐ Other non-PI/PD/WD tort (35)

Employment

- ☐ Wrongful termination (36)
☐ Other employment (15)

Contract

- ☐ Breach of contract/warranty (06)
☐ Rule 3.740 collections (09)
☐ Other collections (09)
☐ Insurance coverage (18)
☐ Other contract (37)

Real Property

- ☐ Eminent domain/Inverse condemnation (14)
☐ Wrongful eviction (33)
☐ Other real property (26)

Unlawful Detainer

- ☐ Commercial (31)
☒ Residential (32)
☐ Drugs (38)

Judicial Review

- ☐ Asset forfeiture (05)
☐ Petition re: arbitration award (11)
☐ Writ of mandate (02)
☐ Other judicial review (39)

Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)

- ☐ Antitrust/Trade regulation (03)
☐ Construction defect (10)
☐ Mass tort (40)
☐ Securities litigation (28)
☐ Environmental/Toxic tort (30)
☐ Insurance coverage claims arising from the above listed provisionally complex case types (41)

Enforcement of Judgment

- ☐ Enforcement of judgment (20)

Miscellaneous Civil Complaint

- ☐ RICO (27)
☐ Other complaint (not specified above) (42)

Miscellaneous Civil Petition

- ☐ Partnership and corporate governance (21)
☐ Other petition (not specified above) (43)

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- a. ☐ Large number of separately represented parties d. ☐ Large number of witnesses
 b. ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve e. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
 c. ☐ Substantial amount of documentary evidence f. ☐ Substantial postjudgment judicial supervision
3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action (specify): 1
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: August 14, 2009

Randall D. Naiman, Esq. (#81048)

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

NOTICE: EVERYONE WHO LIVES IN THIS RENTAL UNIT MAY BE EVICTED BY COURT ORDER. READ THIS FORM IF YOU LIVE HERE AND IF YOUR NAME IS NOT ON THE ATTACHED SUMMONS AND COMPLAINT.

1. If you live here and you do not complete and submit this form within 10 days of the date of service shown on this form, you will be evicted without further hearing by the court along with the persons named in the Summons and Complaint.
2. If you file this form, your claim will be determined in the eviction action against the persons named in the Complaint.
3. If you do not file this form, you will be evicted without further hearing.

CLAIMANT OR CLAIMANT'S ATTORNEY (Name and Address):	TELEPHONE NO.:	FOR COURT USE ONLY
ATTORNEY FOR (Name): NAME OF COURT: SUPERIOR COURT OF CALIFORNIA STREET ADDRESS: COUNTY OF SAN DIEGO MAILING ADDRESS: 330 West Broadway CITY AND ZIP CODE: San Diego, CA 92101 BRANCH NAME: CENTRAL DIVISION		
PLAINTIFF: CITIBANK , NA AS TRUSTEE FOR WAMU 2004-AR9 DEFENDANT: SEPEHR TORABI, and DOES 1 to 6, inclusive		
PREJUDGMENT CLAIM OF RIGHT TO POSSESSION		
		CASE NUMBER:

Complete this form only if ALL of these statements are true:

1. You are NOT named in the accompanying Summons and Complaint.
2. You occupied the premises on or before the date the unlawful detainer (eviction) Complaint was filed.
3. You still occupy the premises.

(To be completed by the process server)

DATE OF SERVICE:

(Date that this form is served or delivered,
and posted, and mailed by the officer or
process server)

I DECLARE THE FOLLOWING UNDER PENALTY OF PERJURY:

1. My name is (*specify*):
2. I reside at (*street address, unit No., city and ZIP code*):
3. The address of "the premises" subject to this claim is (*address*): 3253 Caminito Eastbluff Unit 26, La Jolla, CA 92037
4. On (*insert date*): , the landlord or the landlord's authorized agent filed a complaint to recover possession of the premises. (*This date is the court filing date on the accompanying Summons and Complaint.*)
5. I occupied the premises on the date the complaint was filed (*the date in item 4*). I have continued to occupy the premises ever since.
6. I was at least 18 years of age on the date the complaint was filed (*the date in item 4*).
7. I claim a right to possession of the premises because I occupied the premises on the date the complaint was filed (*the date in item 4*).
8. I was not named in the Summons and Complaint.
9. I understand that if I make this claim of right to possession, I will be added as a defendant to the unlawful detainer (eviction) action.
10. (*Filing fee*) I understand that I must go to the court and pay a filing of \$ _____ or file with the court the form "Application for Waiver of Court Fees and Costs." I understand that if I don't pay the filing fee or file with the court the form for waiver of court fees within 10 days from the date of service on this form (excluding court holidays), I will not be entitled to make a claim of right to possession.

(Continued on reverse)

SUM-200(A)

SHORT TITLE: CITIBANK V. TORABI

CASE NUMBER:

INSTRUCTIONS FOR USE

- ➔ This form may be used as an attachment to any summons if space does not permit the listing of all parties on the summons.
- ➔ If this attachment is used, insert the following statement in the plaintiff or defendant box on the summons: "Additional Parties Attachment form is attached."

List additional parties (Check only one box. Use a separate page for each type of party.):

☐ Plaintiff ☐ Defendant ☐ Cross-Complainant ☐ Cross-Defendant

Page _____ of _____
Page 1 of 1

Attorney of Party Without Attorney (Name and Address) Naiman Law Group 4660 La Jolla Village Drive San Diego CA 500 92122 Attorney For: PLAINTIFF		Telephone No: (858)535-4808	FOR COURT USE ONLY	
		Reference Number: 2632566	44194	
Plaintiff/Petitioner: Citibank, NA Defendant/Respondent: Sepehr Torabi, et al.				
PROOF OF SERVICE "FILE BY FAX"	Hearing Date:	Time:	Dept./Div.:	Case Number: NOTICE

I, the undersigned declare that at the time of the service of the papers herein referred to, I was at least EIGHTEEN (18) years of age, and that I served the following notice:

Notice to Vacate

On the following tenant(s): All Tenants, Subtenants, and Others in Possession

Address: 3253 Caminito Eastbluff, Unit 26
La Jolla, CA 92037

Date and Time of Posting: 8/6/2009 at 5:07pm.

BY POSTING a copy for each above-named tenant in a conspicuous place on the property therein described, there being no person of suitable age or discretion to be found at any known place of residence or business of said tenant(s) AND MAILING by first-class mail on said date a copy to each tenant by depositing said copies in the U.S. Mail in a sealed envelope with postage fully pre-paid, addressed to the above-named tenant(s) at the place where the property is situated.

7. Person Serving (name, address, and telephone No.):


Attorney Service of San Dimas
142 East Bonita Avenue, #51
San Dimas, CA 91773
(909)394-1202 Fax (909)394-1204

Fee for service: \$ \$0.00

Andrew Hernandez
Registered California Process Server:
(i) Independent Contractor
(ii) Registration No.: 1112
(iii) County: San Bernardino

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 8/11/2009


(Signature)

Attorney of Party Without Attorney (Name and Address) Naiman Law Group 4660 La Jolla Village Drive San Diego CA 500 92122 Attorney For: PLAINTIFF		Telephone No: (858)535-4808	FOR COURT USE ONLY	
		Reference Number: 2632565	44194	
Plaintiff/Petitioner: Citibank, NA Defendant/Respondent: Sepehr Torabi, et al.				
PROOF OF SERVICE "FILE BY FAX"	Hearing Date:	Time:	Dept./Div.:	Case Number: NOTICE

I, the undersigned declare that at the time of the service of the papers herein referred to, I was at least EIGHTEEN (18) years of age, and that I served the following notice:

Notice to Vacate

On the following tenant(s): Sepehr Torabi

Address: 3253 Caminito Eastbluff, Unit 26
La Jolla, CA 92037

Date and Time of Posting: 8/6/2009 at 5:07pm.

BY POSTING a copy for each above-named tenant in a conspicuous place on the property therein described, there being no person of suitable age or discretion to be found at any known place of residence or business of said tenant(s) AND MAILING by first-class mail on said date a copy to each tenant by depositing said copies in the U.S. Mail in a sealed envelope with postage fully pre-paid, addressed to the above-named tenant(s) at the place where the property is situated.

7. Person Serving (name, address, and telephone No.):

Attorney Service of San Dimas
142 East Bonita Avenue, #51
San Dimas, CA 91773
(909)394-1202 Fax (909)394-1204

Fee for service: \$ \$45.00

Andrew Hernandez
Registered California Process Server:
(i) Independent Contractor
(ii) Registration No.: 1112
(iii) County: San Bernardino

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 8/11/2009


(Signature)

CIVIL COVER SHEET

*JS 44 (Rev. 12/07)

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS CITIBANK NA AS Trustee for WA MU AR-2004 AR9		DEFENDANTS SEPE HOSREC 3T ORA BT County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED. Attorney's (Firm Name, Address, and Telephone Number) 09CV2945 W WVG													
II. BASIS OF JURISDICTION (Place an "X" in One Box Only) <input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)		III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant) (For Diversity Cases Only) <table style="width:100%; border: none;"> <tr> <td style="width: 33%; vertical-align: top;"> Citizen of This State <input type="checkbox"/> 1 Citizen of Another State <input checked="" type="checkbox"/> 2 Citizen or Subject of a Foreign Country <input type="checkbox"/> 3 </td> <td style="width: 33%; vertical-align: top;"> PTF <input type="checkbox"/> 1 DEF <input checked="" type="checkbox"/> 1 Incorporated or Principal Place of Business In This State <input type="checkbox"/> 4 Incorporated and Principal Place of Business In Another State <input type="checkbox"/> 5 Foreign Nation <input type="checkbox"/> 6 </td> <td style="width: 33%; vertical-align: top;"> PTF <input type="checkbox"/> 4 DEF <input type="checkbox"/> 4 PTF <input type="checkbox"/> 5 DEF <input checked="" type="checkbox"/> 5 PTF <input type="checkbox"/> 6 DEF <input type="checkbox"/> 6 </td> </tr> </table>		Citizen of This State <input type="checkbox"/> 1 Citizen of Another State <input checked="" type="checkbox"/> 2 Citizen or Subject of a Foreign Country <input type="checkbox"/> 3	PTF <input type="checkbox"/> 1 DEF <input checked="" type="checkbox"/> 1 Incorporated or Principal Place of Business In This State <input type="checkbox"/> 4 Incorporated and Principal Place of Business In Another State <input type="checkbox"/> 5 Foreign Nation <input type="checkbox"/> 6	PTF <input type="checkbox"/> 4 DEF <input type="checkbox"/> 4 PTF <input type="checkbox"/> 5 DEF <input checked="" type="checkbox"/> 5 PTF <input type="checkbox"/> 6 DEF <input type="checkbox"/> 6									
Citizen of This State <input type="checkbox"/> 1 Citizen of Another State <input checked="" type="checkbox"/> 2 Citizen or Subject of a Foreign Country <input type="checkbox"/> 3	PTF <input type="checkbox"/> 1 DEF <input checked="" type="checkbox"/> 1 Incorporated or Principal Place of Business In This State <input type="checkbox"/> 4 Incorporated and Principal Place of Business In Another State <input type="checkbox"/> 5 Foreign Nation <input type="checkbox"/> 6	PTF <input type="checkbox"/> 4 DEF <input type="checkbox"/> 4 PTF <input type="checkbox"/> 5 DEF <input checked="" type="checkbox"/> 5 PTF <input type="checkbox"/> 6 DEF <input type="checkbox"/> 6													
IV. NATURE OF SUIT (Place an "X" in One Box Only)															
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 25%; vertical-align: top;"> CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise </td> <td style="width: 25%; vertical-align: top;"> PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury </td> <td style="width: 25%; vertical-align: top;"> PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability </td> <td style="width: 25%; vertical-align: top;"> FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/4mt.Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. 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Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. 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V. ORIGIN (Place an "X" in One Box Only) <input type="checkbox"/> 1 Original Proceeding <input checked="" type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from another district (specify) <input type="checkbox"/> 6 Multidistrict Litigation <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment															
VI. CAUSE OF ACTION Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 15 USC 1601 Brief description of cause: Unlawful foreclosure 15 USC 1692															
VII. REQUESTED IN COMPLAINT: <input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No															
VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE John A. Huston DOCKET NUMBER 09CV02838															
DATE 12/31/09 SIGNATURE OF ATTORNEY OF RECORD [Signature]															
FOR OFFICE USE ONLY RECEIPT # 8791 AMOUNT \$350- APPLYING IFP JUDGE MAG. JUDGE															

Court Name: USDC California Southern
Division: 3
Receipt Number: CAS008791
Cashier ID: mbain
Transaction Date: 12/31/2009
Payer Name: SEPEHR TORABI

CIVIL FILING FEE
For: CITIBANK V TORABI
Case/Party: D-CAS-3-09-CV-002945-001
Amount: \$350.00

CHECK
Check/Money Order Num: 5129
Amt Tendered: \$350.00

Total Due: \$350.00
Total Tendered: \$350.00
Change Amt: \$0.00

There will be a fee of \$45.00
charged for any returned check.